

By direction of the Commission.
Carol M. Thomas,
Secretary.
[FR Doc. 80-32456 Filed 10-16-80; 8:45 am]
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GENERAL SERVICES ADMINISTRATION

GSA Bulletin FPR 48 Federal Procurement; Energy Conservation

October 8, 1980.

To: Heads of Federal agencies.
Subject: Federal procurement policy
concerning energy conservation

1. *Purpose.* This bulletin reemphasizes the importance of considering energy conservation in acquisition decisions.

2. *Expiration date.* This bulletin expires October 8, 1981 unless earlier revised or superseded.

3. Background.

a. The Office of Federal Procurement Policy (OFPP) Policy Letter 78-1, in implementing the Energy Policy and Conservation Act (42 U.S.C. 636(a)(1)), required Executive agencies to promote energy conservation and efficiency through procurement policies and decisions. Accordingly, regulations making the requirement a mandatory standard with respect to procurements and underlying procurement and property management documents have been set forth in § 1-1.339-1 of the Federal Procurement Regulations and in Part 101-25 of the Federal Property Management Regulations.

b. The OFPP has now issued Supplement No. 1 to OFPP Policy Letter 78-1 (45 FR 47772, July 16, 1980), which reemphasizes the need to conform to both the spirit and intent of those regulations. In a September 2, 1980, memorandum, OFPP encourages Agency and Industry Contact Points procuring offices to work cooperatively to give meaningful consideration to the conservation of energy.

4. *Agency action.* Energy conservation as it relates to acquisition decisions is expected to be made a matter of management emphasis throughout the Executive branch.

Gerald McBride,
*Assistant Administrator for Acquisition
Policy.*

Executive Office of the President
*Office of Management and Budget, Office of
Federal Procurement Policy*

September 2, 1980.

For memorandum for: OFPP Agency and Industry Contact Points
--- Karen Haste Williams, Administrator
Federal Contractor's Energy Conservation Programs

Under the auspices of the Interagency Federal Energy Policy Committee (sometimes referred to as the "C56" Committee), this Office and the DOE's Office of Conservation and Solar Energy recently reviewed the measures taken by several Federal contractors and Government procurement activities to promote energy conservation at facilities employed in the performance of Federal contracts. The purpose of this survey was to determine if inclusion of an energy conservation clause in Federal contracts was warranted.

We have concluded that, on balance, Federal contractors are conscientiously pursuing energy conservation measures and that an energy conservation clause, per se, is not warranted as an additional stimulus. In fact, there is a general feeling that the efforts associated with administering an energy conservation clause could detract from positive measures being devoted to conservation efforts. Therefore, we have decided not to promulgate such a clause.

However, the survey did disclose that most of us still waste energy needlessly. A prime example is the use of lighting on bright days and when rooms are unoccupied. Also, industry associations could be helpful in promoting energy conservation by exchanging energy conservation ideas through such media as their newsletters to member firms.

Another area worth considering is to emphasize and discuss energy conservation during source selection for major programs. Such discussions could promote a common understanding of obstructions to energy conservation measures and cooperative means for overcoming such obstructions within the scope of the program.

Working cooperatively, I am certain that Federal contractors and procuring offices alike will continue to give meaningful consideration to the conservation of energy. Energy conservation makes good economic sense for both sides.

[FR Doc. 80-32320 Filed 10-16-80; 8:45 am]

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Qualifications Reviews Panel for the Position of Director, Gerald R. Ford Library Meeting

Notice is hereby given that the Qualifications Review Panel for the position of Director, Gerald R. Ford Library, will meet on October 23 and November 21 from 10 a.m. to adjournment in Room 105, National Archives and Records Service, 8th and Pennsylvania Avenue, NW, Washington, D.C. 20408.

The Panel will:

1. Develop selection criteria for the position of Director, Gerald R. Ford Library.
2. Review applications for position of Director, rank applicants, and make recommendations to the Archivist of the United States.

The meeting on October 23 will be open to the public during the discussion

of item 1, above. Panel deliberations under item 2, above, are closed in accordance with exemption (6) of the Government in the Sunshine Act (5 U.S.C. 552b(c)). If necessary, discussions under item 2 will be continued on November 21 and will also be closed to the public in accordance with 5 U.S.C. 552b(c)(6). For further information contact Richard A. Jacobs, General Services Administration (GSA), Washington, D.C. 20408 (202-523-3073).

Issued in Washington, D.C. on September 23, 1980

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 80-32320 Filed 10-16-80; 8:45 am]

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Public Buildings Service

Proposed Rehabilitation of Union Station, Montgomery, Montgomery County, Ala.; Decision

September 18, 1980.

The General Services Administration, in accordance with the National Environmental Policy Act of 1969, as amended, and the Regulations issued by the Council on Environmental Quality, Section 1505.2, dated November 29, 1978, completed the Record of Decision (ROD) for the proposed project.

The Record of Decision is available at the Regional Office for public review upon request.

Statement of Decision

It has been decided after consideration of available information, that the rehabilitation of Montgomery's historic Union Station is the most suitable and feasible choice in order to provide space for the proposed agency consolidation plan.

Positive social, economic, and environmental objectives, including employment within the central business area, energy conservation by the utilization of existing resources and the ultimate reduction in total miles traveled by employees and the public, preservation of a unique historic landmark, and stabilization of the downtown Riverfront area through cooperation with local revitalization and land use plans are expected to be realized by this proposal. The rehabilitation of Union Station is the most desirable alternative in serving the tax paying public under the auspices of Congressional acts and Executive directives.

For additional information contact Mr. W. H. Capes, Director, Operational Planning Staff (4PG), CSA, Public Buildings Service, Richard B. Russell

By Order of the Commission:
Kenneth R. Mason,
Secretary.

The above Order is Consented to:

For Complainant: Keith D. Beecher, Esq.,
Jesup & Beecher, 2040 Avenue of the
Stars, Los Angeles, California 90067, Tel.
(213) 556-3178, *Counsel for Prodyne
Enterprises Inc.*

For Respondent: Joel Goldhamer, Seidel,
Gonda, Goldhamer & Panitch, 3 Penn
Center Plaza, Philadelphia, Pennsylvania
19102, Tel. (215) 568-8383, *Counsel for
Albert E. Price, Inc.*

For U.S. International Trade Commission,
Commission Investigative Attorney:
Donald R. Dinan, Esq., 701 E Street,
N.W., Washington, D.C. 20436, Tel. (202)
523-6488.

Agreement

Agreement, made and entered into
this 25th day of March 1980, by and
between the following parties:

(a) Prodyne Enterprises, Inc., a
California corporation, having a mailing
address of Post Office Box 212,
Montclair, California, 91763, (hereinafter
"Prodyne"); and

(b) Albert E. Price, Inc., a New Jersey
Corporation having a place of business
at Interstate Industrial Park, Bellmawr,
New Jersey, 08031 (hereinafter "AEP").

Whereas, Prodyne has instituted
proceedings before the International
Trade Commission alleging as a cause of
action under 19 U.S.C. § 1337 as
amended and supplemented, that AEP
has engaged in unfair methods of
competition or unfair acts by importing
goods that infringe U.S. Patent No.
3,766,817, as more specifically set forth
in the complaint, as amended, filed
November 5, 1979 which forms a part of
the matter captioned Investigation No.
337-TA-76, Certain Food Slicers and
Components Thereof;

Whereas AEP has ceased importing
and accused cheese boards with slicers,
catalog numbers 9023 and 9024
illustrated in Exhibit 1 attached hereto
and concurrently with this agreement
has entered into an Agreement in
settlement of the above identified
Investigation; and

Whereas, the parties are desirous of
compromising and settling all of the
controversies which may exist between
them in respect to the subject matter of
the Investigation.

Now, therefore, for and in
consideration of the foregoing premises
and other good and valuable
consideration, the receipt in sufficiency
of which is hereby mutually
acknowledged, and intending to be
legally bound, Prodyne and AEP agree as
follows:

1. AEP represents and warrants that it
has ceased importing the cheese board

slicers, catalog numbers 9023 and 9024
and has no intention of importing them
in the future.

2. This agreement is made and entered
into without any admission or inference
of an admission that U.S. Patent No.
3,766,817 is valid or infringed or that
AEP has committed any wrongful act or
violated any law.

3. Prodyne releases and discharges
AEP, together with its officers, directors,
agents, purchasers, customers,
successors and assigns from all causes
of action and claims for damage that
Prodyne may have against them arising
out of or relating to infringement of U.S.
Patent No. 3,766,817 and for unfair
methods of competition and unfair acts
arising out of the importation, use and
sale of the cheese board slicers, catalog
numbers 9023 and 9024, from the
beginning of time until the date of this
agreement, and as long as this
agreement remains in force, agrees to
take no action against AEP, its officers,
directors, agents, purchasers, customers,
successors and assigns by reason of any
prior use or sale of said cheese board
slicers, catalog numbers 9023 and 9024,
which were imported into the United
States prior to the date of this

agreement. It is agreed and understood
that AEP has said imported cheese
board slicers in inventory, the quantity of
which has been disclosed in confidence
as part of the settlement of the
Investigation, and that the aforesaid
release and covenant not to sue is fully
applicable to the use of the inventory of
cheese board slicers by AEP and to the
resale by its customers.

4. Prodyne and AEP agree that this
Agreement shall be binding upon and
inure to benefit of Prodyne and AEP,
their respective officers, directors,
agents, successors and assigns, and all
persons acting by, through, under or in
active concert or participation with
them.

5. This agreement shall be considered
as a contract made by and under the
laws of the State of New Jersey.

Executed by the parties hereto,
effective the date first above written.

Prodyne Enterprises, Inc.

James L. Davis,

Attest:

Christopher J. McArdle.

Albert E. Price, Inc.

Jack Chirlin,

Attest:

Jack Hirlin,

Secretary.

[FR Doc. 80-21228 Filed 7-15-80; 8:45 am]

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OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

Federal Procurement Policy Concerning Energy Conservation Supplement

AGENCY: Office of Management and
Budget, Office of Federal Procurement
Policy (OFPP).

ACTION: Supplement No. 1 to OFPP
Policy Letter No. 76-1

SUMMARY: OFPP Policy Letter No. 76-1
was issued August 6, 1976 to implement
Section 337(a)(1) of the Energy Policy
and Conservation Act. This provision of
the Act requires the President to
promote energy conservation and
efficiency through procurement policies
and decisions of the Federal
Government. In turn, regulations were
issued by the General Services
Administration and the Department of
Defense making the requirement a
mandatory standard with respect to
both advertised and negotiated
procurements and underlying documents
such as purchase requests.

The purpose of this Supplement is to
reemphasize the Federal procurement
policy concerning energy conservation.
Due to the continuing increase in energy
costs, both as a percentage of the life
cycle costs of facilities, equipment, and
systems and total dollar expenditures,
the Supplement requires that energy
conservation as it relates to acquisition
decisions be made a matter of
management emphasis throughout the
executive branch.

FOR FURTHER INFORMATION CONTACT:

Mr. Conroy B. Johnson, Deputy
Associate Administrator for Regulatory
Policies and Practices, 202-395-6166
Karen Hustle Williams,
Administrator.

July 2, 1980.

Policy Letter No. 76-1.

Supplement No. 1.

To the heads of Executive Departments and
Establishments.

Subject: Federal Procurement Policy
Concerning Energy Conservation.

Public Law 94-163, the Energy Policy and
Conservation Act, was enacted December 22,
1975. Section 337(a)(1) thereof requires the
President to promote energy conservation
and efficiency through procurement policies
and decisions of the Federal Government.
Under the authority vested in the
Administrator for Federal Procurement Policy
by Public Law 93-403, OFPP Policy Letter No
76-1 (copy attached) was issued August 8,
1976 extending this requirement to the
Executive Departments and Establishments.
In turn, the General Services Administration
and the Department of Defense issued
implementing regulations making the

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requirements a mandatory standard with respect to both advertised and negotiated procurements and underlying procurement and property management documents, such as purchase requests. The applicable regulatory coverage is set forth in the following regulations: Federal Procurement Regulations 1-1.339-1, Defense Acquisition Regulation 1-339, Federal Property Management Regulation 41 CFR Chapter 101, Subchapter E, Part 101-25.

The continuing increase in energy costs, both as a percentage of the life cycle costs of facilities, equipment, and systems and total dollar expenditures, dictates that energy conservation, as it relates to acquisition decisions, be made a matter for management emphasis throughout the Executive Branch. As initial steps, (1) I specifically want this Policy Letter and the regulations cited above to be brought to the attention of those personnel involved in acquisition decisions, and (2) I want to reemphasize the need to conform to both the spirit and intent of these directives.

There are numerous acquisition-related energy conservation opportunities that the Government can pursue in carrying out its day-to-day activities. For example: (1) where energy costs constitute a major portion of the life cycle cost of a product, the energy-efficiency of competing products should be considered in deciding which product to procure; (2) existing heating and air conditioning systems in Government buildings can be made more energy-efficient through the addition of energy-saving components or the replacement of inefficient systems; (3) rail and water transportation systems generally consume less energy in terms of the payload hauled and may represent a practicable alternative to other, less energy-efficient, forms of transportation; and (4) products made with recycled materials, which generally require less energy to produce, frequently are adequate for the Government's needs. In addition to making good economic sense, Federal energy-saving strategies can also serve as examples for State and local governments, businesses and the general public.

Innovations aimed at energy conservation are resulting in many new products and the redesign of existing products to make them more energy-efficient. In this vein, the development of better product and system standards by Government and the private sector—standards specifically designed to aid in the conservation of energy—should result from implementation of OMB Circular A-119, Federal Participation in the Development and Use of Voluntary Standards.

In managing our personal affairs, we have taken steps to cope with escalating energy costs and shortages. We must be equally vigilant where the public interest and tax dollars are involved. We do not have to settle for products which are less energy-efficient, due to either the lack of familiarity with new products which are more energy-efficient, or to outmoded Federal specifications. The policy on Acquisition and Distribution Commercial Products (ADCOP) (See 45 FR 9267—Federal Property Management regulations Temporary Regulation E-69-41

(CR Ch. 101), together with life cycle cost considerations, provides a positive means for the Government to take advantage of energy-saving innovations.

The obligation to think and practice energy conservation in shaping acquisition decisions does not rest solely with the contracting function. Rather, this obligation begins with those responsible for levying acquisition requests upon contracting officers. The people who generate such requests are obligated to pursue vigorously energy conservation opportunities and be receptive to the use of acquisition strategies tailored to ensure that energy conservation and efficiency are given due consideration in the procurement process.

Many energy conservation measures have been initiated by the Congress and the President confirming their determination to eliminate the Nation's dependence on foreign energy sources. With respect to Federal procurement policy, I am equally determined to take whatever measures are necessary to ensure that our acquisition programs promote energy conservation. In this regard, if there are conflicting policies, regulations, or procedures which effectively preclude or hamper the acquisition of energy-efficient products or services, they should be made known to me so they can be changed. Also, if we need to strengthen existing policies, regulations or procedures to ensure procurement of energy-efficient products and services, this also will be done.

I wish to be advised within 90 days of the steps taken or planned by your agency to emphasize and ensure compliance with the spirit and intent of this Policy Letter and implementing regulations I will disseminate for your consideration those responses which demonstrate the kinds of imaginative and creative thinking required to maximize the potential contribution Federal acquisition decisions can make to the Nation's energy conservation efforts.

This Policy Letter Supplement has been concurred in by the Director of OMB, Karen Hestie Williams, Administration.

[FR Doc. 80-2144 Filed 7-15-80 8:45 am]
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calling the Docket Room at Area Code 202-231-3800.

David F. Harris,
Secretary.

[FR Doc. 80-2144 Filed 7-15-80 8:45 am]
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SECURITIES AND EXCHANGE COMMISSION**Boston Stock Exchange, Inc.; Application for Unlisted Trading Privileges and of Opportunity for Hearing**

July 10, 1980.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 14f(1)(b) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of:

Safeguard Business Systems, Inc., Common Stock, \$10 Par Value [File No. 7-5617]

This security is listed and registered on one or more other national securities exchanges.

Interested persons are invited to submit on or before August 1, 1980 written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority,

George A. Fostromone,
Secretary.

[FR Doc. 80-2147 Filed 7-15-80 8:45 am]
BILLING CODE 8010-01-M

(Release No. 16972; File No. SR-MSE-80-10)

Extension of Statutory Time Period for Commission Consideration of Proposed Rule Change of Midwest Stock Exchange, Inc.

July 9, 1980.

The Midwest Stock Exchange, Inc. ("MSE") submitted on May 10, 1980, a